United Nations S/2004/962

Security Council

Distr.: General
9 December 2004

Original: English

Third progress report of the Secretary-General on the United Nations operation in Côte d'Ivoire

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1528 (2004) of 27 February 2004, by which the Council requested me to report to it every three months on the situation in Côte d'Ivoire, the implementation of the Linas-Marcoussis Agreement and the implementation of the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI). This report covers major developments since my report of 27 August 2004 (S/2004/697).

II. Political and security developments

2. During the reporting period, the lack of progress in the implementation of the Accra III and Linas-Marcoussis Agreements, the launching of a military operation by the National Armed Forces of Côte d'Ivoire (FANCI) against Forces nouvelles positions in early November 2004, the ensuing violent disturbances in Abidjan and elsewhere and the escalation of rhetoric dealt a serious blow to the peace process. Since the outbreak of hostilities, actions by the African Union, the Economic Community of West African States (ECOWAS) and the United Nations have focused on the restoration of calm and security and on facilitating a resumption of dialogue among the Ivorian parties towards the implementation of the two accords.

3. As will be recalled, under the Accra III Agreement, signed on 30 July, the parties agreed, inter alia, that President Gbagbo should use the powers conferred on him by the Constitution to implement, by the end of September, the provisions in the Linas-Marcoussis Agreement regarding the revision of article 35 concerning eligibility to the presidency. In addition, it was agreed that the National Assembly would proceed with the adoption of all legal reforms envisaged under the Linas-Marcoussis Agreement by the end of August. The parties committed themselves to the commencement of the disarmament, demobilization and reintegration process, including by all paramilitary and militia groups, by 15 October 2004. Accordingly, on 9 August, President Gbagbo delegated powers to the Prime Minister to enable him to implement relevant provisions of the Linas-Marcoussis Agreement. On the same day, the Government of National Reconciliation resumed its functions.

4. An extraordinary session of the National Assembly was convened from 16 August to 28 September to proceed with the adoption of the envisaged

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constitutional and legislative reforms within the deadlines set by the Accra III Agreement. Only the draft law on the public funding of political parties and groups and electoral campaigns was, however, approved during the session. Furthermore, no progress was made before the 30 September deadline regarding the amendment of article 35 of the Constitution.

5. Despite the general improvement in security that continued from early September to mid-October, the situation remained tense in Man and around Guiglo where militias operated freely and carried out serious human rights violations against the civilian population, also restricting the movement of humanitarian agencies.

6. The level of cooperation between FANCI and the military elements of the Forces nouvelles also improved, culminating in the adoption of the Yamoussoukro Joint Declaration of 11 October 2004, in which the parties reaffirmed the decision made of the two military forces on 4 July 2003 not to resume armed hostilities as well as their commitment to the commencement of the disarmament process in October 2004.

7. However, the protracted lack of progress in the peace process impacted on the military and security situation with both FANCI and the military elements of the Forces nouvelles increasing their states of alert between September and October. Tensions mounted as the deadline for the disarmament process approached, and between 7 and 11 October, thousands of demonstrators gathered in the northern towns of Bouake, Man and Bouna where they protested the commencement of the disarmament process and the possibility of "forced disarmament". The demonstrations targeted both UNOCI and Licorne troops, who were forced to intervene to disperse the protestors. In Abidjan, groups of "young patriots" protested the delayed commencement of the disarmament process, but were contained by the Ivorian security forces.

8. The second ordinary session of the National Assembly opened on 6 October. On 9 October, the Secretary-General of the Forces nouvelles, Guillaume Soro, declared that the disarmament process would not commence on 15 October because the envisaged legislative reforms had not yet been implemented. Meanwhile, on 12 October, President Gbagbo publicly announced that the draft text for the amendment of article 35 would only be submitted to the National Assembly once the disarmament process had commenced and went on to cite article 127 of the Ivorian Constitution, which stipulates that no constitutional amendment may be pursued when there is a threat to the territorial integrity of the State. Despite meetings on 13 October, both parties maintained their stances.

9. Meanwhile, several initiatives were undertaken to move the Ivorian peace process forward. In early October, during a three-day visit to Côte d'Ivoire, President Kabbah of Sierra Leone discussed with President Gbagbo, the Prime Minister, opposition leaders and senior Ivorian officials ways to overcome the impasse.

10. At the end of September 2004, I requested my Special Representative for Côte d'Ivoire, Albert Tévoédjré, to consult with regional Heads of State on how to revitalize the Ivorian peace process. From 4 to 23 October, he met with the Presidents of Benin, Burkina Faso, the Congo, Gabon, Ghana, Mali, Niger, Nigeria, Sierra Leone, South Africa and Togo, and with the Foreign Minister of Angola, as

well as with the Executive Secretary of ECOWAS, Mohammed Ibn Chambas. The regional leaders indicated their grave concern at the lack of political will of the Ivorian parties to fulfil their commitments under the Accra III and Linas-Marcoussis Agreements. There was also a general consensus that strong pressure needed to be exerted on all the Ivorian parties to fulfil those commitments and it was suggested, in that context, that the Security Council should take appropriate action.

11. Meanwhile, the presence of roadblocks and checkpoints throughout the country, manned either by law enforcement agents or by militias, continued to restrict the movement of United Nations staff. In an incident on 23 October, armed FANCI security personnel surrounded a UNOCI aircraft on the ground in Yamoussoukro, en route to Bouaké, and attempted to interrogate the five Forces nouvelles personnel on board. Following intervention by UNOCI, the aircraft was eventually allowed to proceed.

12. On 26 October, the Forces nouvelles claimed to have discovered a large quantity of weapons and ammunition hidden in a white truck entering Bouaké. This led to the suspension, on 28 October, of the Forces nouvelles Ministers participation in the Government of National Reconciliation. The Forces nouvelles declared a "state of emergency", a curfew was imposed in all areas under their control and they indicated their withdrawal from all activities linked to the disarmament process. Meanwhile, the Forces nouvelles announced that all vehicles entering areas under its control would be searched, including those of United Nations and humanitarian organizations, allegedly to prevent FANCI from using falsely-marked cars to transport weapons.

13. On 30 October, my Special Representative met in Bouaké with the Secretary-General of the Forces nouvelles, who expressed his regret at the lack of progress in the adoption of the envisaged legislative reforms and accused President Gbagbo of preparing for a resumption of armed conflict.

Military operations by the National Armed Forces of Côte d'Ivoire and the security situation

14. On 4 November, FANCI, having redeployed some of its military assets to the zone of confidence, launched air attacks against Forces nouvelles positions in Bouaké and the northern town of Korhogo. Several people were killed and wounded during the attacks, while scores of civilians sought refuge at the UNOCI headquarters in Bouaké. The same day, water and electricity were cut off in Bouaké and several other locations in the north.

15. In Abidjan, large numbers of the so-called "young patriots", who support President Gbagbo, some armed with guns, surrounded and forcefully tried to take over the Golf Hotel, where several Forces nouvelles Ministers, for whom UNOCI provides close protection, were residing. The hotel was secured following a robust intervention by UNOCI and Licorne troops. Meanwhile, the offices of the Prime Minister, Seydou Diarra, were seized by FANCI and the staff expelled. In addition, the "young patriots" ransacked the offices of the National Commission for Disarmament, Demobilization and Reintegration, as well as those of the opposition parties, the Rally of the Republicans (RDR) and the Democratic Party of Côte d'Ivoire-African Democratic Rally (PDCI-RDA). They also burned and looted the offices of three major newspapers. On 5 November, the Director of Radio and Television of Côte d'Ivoire (RTI), who had been appointed by the Minister of

Communications, Guillaume Soro, was replaced by a person with close links to the Ivorian Patriotic Front (FPI). Following the attacks, the Secretary-General of the Forces nouvelles declared the Accra III and Linas-Marcoussis Agreements "null and void".

16. On 5 November, FANCI forces carried out additional air operations against Forces nouvelles positions, reportedly resulting in the further deaths of civilians and soldiers. There were also reports of the movement of several hundred FANCI troops, principally towards the Forces nouvelles stronghold of Bouaké. Despite the actions taken by UNOCI to prevent infiltration through the zone of confidence, on 6 November, large numbers of FANCI troops moved across the zone and clashed with military elements of the Forces nouvelles in Sakassou, south of Bouaké, and in the north-east of Bouaké. In the early morning of 7 November, a UNOCI contingent was fired on by Forces nouvelles military elements who were attacking FANCI forces near Zuenoula, close to the zone of confidence. The situation was brought under control after a meeting between the UNOCI contingent commander and representatives of the Forces nouvelles.

17. On 6 November, FANCI air operations against Forces nouvelles positions in the north of the country continued, with attacks on Bongora, Brobo and Bouaké. Meanwhile, President Gbagbo informed me that the military operations under way which were "limited and targeted at the recapture of specific towns", following which the Ivorian Government would request the United Nations to ensure the security of the towns. Furthermore, at 13.30 hours local time, during a raid by government fighter aircraft on Bouaké, a base of the French Licorne force was bombed, resulting in the deaths of nine French soldiers and one American citizen, while 38 French soldiers were wounded. The French forces responded by destroying the planes used by FANCI during the air raids, as well as military helicopters on the ground in Yamoussoukro.

18. Following the 6 November attack against the Licorne base in Bouaké and the 9 November confrontation between Licorne and "young patriots" around the Hotel Ivoire, which resulted in numerous deaths and injuries among the demonstrators, the Ivorian authorities accused the Licorne force of a disproportionate use of force in response to a "mistake" caused by the Ivorian security and defence forces. Furthermore, the authorities have asked for an international inquiry into "violations of the sovereignty and territorial integrity" of the country by the French military in Côte d'Ivoire. The French Minister of Defence has explained the actions of the French forces as legitimate self-defence. She has indicated that France could not but respond to the attack.

19. Following the destruction of the aircraft, tensions in Abidjan and other major towns heightened quickly, fuelled by messages broadcast on State-run radio and television by supporters of President Gbagbo inciting hatred and violence against the French forces and also French citizens. Thousands of "young patriots" marched on the airport in Abidjan, which had been taken over by Licorne troops. During the night of 6 November, "young patriots" again rampaged through the streets, attacking residences of foreign nationals and burning schools and businesses. Attacks against several opposition supporters were also reported. Violent demonstrations during the night were also reported in Yamoussoukro and San-Pédro.

20. On 6 November, President Obasanjo, in his capacity as Chairperson of the African Union, held consultations on Côte d'Ivoire in Lagos, following which the

African Union and ECOWAS called on all parties in the Ivorian crisis to immediately halt all hostilities. As mobilization calls by their leaders increased on radio and television, thousands of "young patriots" continued to throng the streets.

21. On the morning of 7 November, FANCI troops were ordered to withdraw to their positions south of the zone of confidence and to allow the unhindered movement of UNOCI and Licorne troops. However, at midday an attempt by FANCI elements to forcefully prevent the movement of a Licorne column en route to Abidjan resulted in two FANCI soldiers being killed. A speech delivered late in the evening of 7 November by President Gbagbo, in which he appealed for calm and for demonstrators to return to their homes, contributed to reducing tensions. Furthermore, on 8 November, after a meeting with the President of the National Assembly, Mamadou Coulibaly who called for calm, the Commander of the Licorne Force, the UNOCI Force Commander and the Chief of Staff of FANCI announced that joint patrols would be carried out throughout the city. One such patrol, which took place that night, also contributed to the restoration calm.

22. On 10 November, given the serious security conditions, an evacuation of foreign nationals began and several diplomatic missions were temporarily closed. Within two weeks some 9,000 expatriates had left the country. UNOCI provided shelter to more than 2,000 persons seeking protection as well as assistance, as needed, with the evacuations. A number of staff of the United Nations country team and UNOCI civilian staff were relocated to Accra.

23. Throughout the crisis, UNOCI troops actively sought to reduce tensions by maintaining close contacts with both FANCI and Forces nouvelles, as well as working robustly to preserve the integrity of the zone of confidence and to prevent any military movements through it. Additional United Nations troops were deployed to Abidjan to provide security for UNOCI personnel and property in the city. UNOCI continues to be proactively engaged in all these areas.

Initiatives to revitalize the peace process

24. On 9 November, President Mbeki of South Africa, heading an African Union mission aimed at bringing about a resumption of the peace process, began a series of meetings with the Ivorian parties. He met firstly with President Gbagbo in Abidjan, who assured him that he was prepared to resume implementation of the Accra III Agreement and, in particular, to present all pending draft laws to the National Assembly, while "mobilizing his party" for their adoption. He also called for the disarmament of the Forces nouvelles to start concurrently with the adoption process.

25. On 11 November, President Mbeki held consultations in Pretoria with several Ivorian opposition leaders, including the RDR President, Alassane Ouattara, and the Secretary-General of the Parti démocratique de Côte d'Ivoire and spokesperson of the coalition of opposition parties known as the "G-7" or "Coalition des Marcoussistes", Djédjé Mady. Subsequently, on 13 November, he also met with President Compaore of Burkina Faso. The following day, President Obasanjo of Nigeria, in his capacity as African Union Chairperson, convened a summit in Abuja, attended by six regional Heads of State as well as the ECOWAS Executive Secretary, the Chairperson of the African Union Commission and my Special Representative. The Speaker of the Ivorian National Assembly attended, representing President Gbagbo. In the communiqué issued following the summit, the

African leaders urged all the Ivorian parties to observe the ceasefire and called on the international community to stop the flow of arms into the country.

26. On 15 November, the Security Council adopted resolution 1572 (2004) imposing an immediate arms embargo on Côte d'Ivoire for a period of 13 months. Additionally, travel sanctions and the freezing of the financial assets of individuals determined to constitute a threat to the peace and reconciliation process in Côte d'Ivoire would come into effect for 12 months on 15 December, unless the Security Council determined before then that the signatories to the Accra III and Linas-Marcoussis Agreements had implemented their commitments under the Accra III Agreement and embarked towards the full implementation of the Linas-Marcoussis Agreement. The Côte d'Ivoire Sanctions Committee is expected to commence its work in early December.

27. On 18 November, for the first time since the outbreak of hostilities, the Council of Ministers met under the chairmanship of President Gbagbo. The Prime Minister, together with 23 of the 42 Ministers, representing seven political parties in the Government, attended the meeting. RDR sent representatives while none of the Forces nouvelles Ministers were present. Among other decisions, the President reaffirmed his intention of finding "interim replacements" for Ministers who failed to attend meetings of the Council of Ministers. The meeting also examined draft legislation enacting the reforms envisaged under the Linas-Marcoussis Agreement. A further meeting of the Council of Ministers was held on 25 November, attended by all Ministers, except those of the Forces nouvelles, who cited security reasons for not participating. The portfolios of the absent Ministers were temporarily redistributed among seven of the Ministers present. The second ordinary session of the National Assembly resumed on 29 November.

28. Following his meetings with the Secretary-General of the Forces nouvelles and the Prime Minister in Pretoria on 20 and 21 November, President Mbeki returned to Côte d'Ivoire on 2 December for a four-day visit to meet with the Ivorian parties and examine proposals for the resumption of the peace process. On 26 and 27 November, at its tenth summit held in Ouagadougou, the International Organization of la Francophonie adopted a resolution on Côte d'Ivoire, inter alia, condemning the attacks carried out by FANCI in early November, while calling for strict implementation of the Accra III and Linas-Marcoussis Agreements.

29. The already severely strained relations between President Gbagbo and opposition leaders further deteriorated in the wake of the hostilities. Mr. Soro called for the resignation of President Gbagbo and in a press statement former President Henri Konan Bedié, the leader of the Parti démocratique de Côte d'Ivoire, condemned President Gbagbo as well as the FPI for the resumption of hostilities.

30. After five days of extremely violent unrest and demonstrations following the military attacks on 4 November, the situation in Abidjan has remained calm, but volatile. Banks and other businesses and schools have gradually reopened. In northern areas, calm has generally been restored and the humanitarian situation improved after the restoration of electricity, water and phone services following several days of cuts. Areas within and around the zone of confidence have remained tense. However, inter-ethnic tensions continued to be reported in Gagnoa, in the south-west of the country. In Abidjan, groups of "young patriots" are still manning checkpoints around the building of the national Radio and Television of Côte d'Ivoire, the Presidential residence and at a key junction on the road to the airport.

The Ivorian authorities have reported that some 57 people were killed during the disturbances in Abidjan.

III. Status of the United Nations Operation in Côte d'Ivoire

31. As at 30 November, the troop strength of UNOCI stood at 5,995, out of an authorized strength of 6,240 military personnel. The outstanding deployment includes a helicopter unit, for which a suitable troop contributor has yet to be found.

32. During the period under review and prior to the current crisis, UNOCI's focus had been on induction of the force in various locations in the country. Deployment was completed as planned, following the stationing of the Togolese and Beninese battalions in the Abidjan and Korhogo areas, respectively, to support the disarmament, demobilization and reintegration process.

33. The UNOCI force continued proactively to carry out its mandated operational commitments, including monitoring the military and security situation in the country, robust patrolling, guard duties, as well as liaison with FANCI, the military elements of the Force nouvelles and the Licorne forces. UNOCI also continued to provide close protection to Ministers in the Government of National Reconciliation, as well as security to financial institutions in Bouaké and Korhogo. In addition, the force has taken an active part in several initiatives to promote national reconciliation and confidence-building between the parties, including escorting children travelling from the north to Yamoussoukro to participate in the UNOCI-led initiative "Couloirs de la paix"; providing escorts for convoys and personnel travelling to Bouaké to facilitate the restoration of administration and public services in areas under the control of the Forces nouvelles; and providing security for the delivery of salaries paid to teachers north of the zone of confidence.

34. Progress has been made in the deployment of the UNOCI civilian police component, which now includes 216 officers. Outside Abidjan, United Nations police advisers are deployed in Man, Bangolo, Daloa, San-Pédro, Bouaké, Yamoussoukro, Bondoukou and Korhogo. An additional civilian police operational sector has also been established in Abidjan. The UNOCI civilian police component also began to establish its presence at the National Police School, the Operation Centre of the Prefecture of Police, the Judicial Police, the Traffic Unit and the international airport in Abidjan. Despite initial difficulties in establishing close cooperation with the Ivorian Gendarmerie, efforts were undertaken to co-locate, in Abidjan and elsewhere in the country. Before the recent crisis, the UNOCI civilian police component also initiated various technical assistance programmes, in cooperation with the national police in Abidjan, to eliminate illegal checkpoints as well as to undertake activities in the area of community policing in sensitive neighbourhoods of Abidjan. In addition, the UNOCI civilian police component continued to work closely with the National Commission on Disarmament, Demobilization and Reintegration, particularly with respect to the recruitment, selection and training of the proposed 600 security auxiliaries in the north.

35. UNOCI personnel relocated to Accra during the crisis are gradually returning to Abidjan, based on a careful assessment of security conditions and the needs of the Mission. Thirty-two staff were brought back by the Mission between 25 and 28 November to ensure the proper functioning of logistics, communications and supply services. The return of additional priority staff is under consideration.

IV. Restoration of State administration

36. During the period under review, some progress was made towards the restoration of State administration, which commenced as a pilot project in the Moyen-Cavally region, located in the zone of confidence, and then gradually expanded to western and northern areas. Over 6,000 civil servants returned to their duty stations in the western region, while the Comité national de pilotage du redéploiement de l'administration has also encouraged the return and redeployment of civil servants to the north. To this end, the Comité national conducted three missions to Bouaké, to examine issues, including the modalities for the rehabilitation of public buildings, schools, health centres and other institutions. In addition, following negotiations with the Forces nouvelles, the Comité national implemented a scheme for the payment of salaries to teachers in Bouaké. The UNOCI civil affairs component has worked in close cooperation with the Comité national to facilitate the return of civil servants to a number of locations, while UNOCI also provided security assistance during the redeployment of administrators to Forces nouvelles-controlled areas, as discussed in paragraph 33 above.

V. Disarmament, demobilization and reintegration

37. As noted above, under the Accra III Agreement, the commencement of the disarmament, demobilization and reintegration process was to begin on 15 October, by which date the key legal reforms under the Linas-Marcoussis Agreement should have been adopted and the necessary technical preparations for the process completed. It was also agreed that the process would include all paramilitary and militia groups. The National Commission for Disarmament, Demobilization and Reintegration had proposed that the process would initially start in the east, in the northern town of Bouna, located in the Forces nouvelles-controlled area, and in the southern town of Bondoukou in the Government-controlled zone. Meanwhile, the regroupment of both FANCI and Forces nouvelles elements in their respective areas began as early as February 2004.

38. However, as noted in section II above, the process did not commence in October, as stipulated in the Accra III Agreement, because the Forces nouvelles were not prepared to disarm in the absence of progress in the adoption of the key constitutional and legal reforms provided for in that Agreement. Meanwhile, during the past several weeks, President Gbagbo has repeatedly called on the Forces nouvelles to commence the process at once and without preconditions.

39. The National Commission for Disarmament, Demobilization and Reintegration has indicated that 30,000 ex-combatants would participate in the disarmament, demobilization and reintegration programme. They would include 26,000 Forces nouvelles elements, of which 3,000 are children, and 4,000 FANCI personnel who were recruited since the crisis began in September 2002. The numbers of the militias and paramilitary groups has yet to be determined. The rehabilitation of the disarmament, demobilization and reintegration sites in the south has been completed, while work on those in the north has not been finalized due to continued protests and a lack of authorization for access by personnel of the National Commission, who some Forces nouvelles elements perceive as being supporters of President Gbagbo. However, the necessary equipment and all other logistical requirements have been secured and could be deployed promptly. The National

Commission, with the active assistance of UNOCI, the United Nations Development Programme (UNDP) and other United Nations agencies, has established a planning committee which has produced the necessary plans for implementation of the disarmament, demobilization and reintegration programme to proceed.

40. At the same time, the programme continues to face severe financial difficulties. Disbursements from the World Bank, which is a major donor to the programme, were blocked after Côte d'Ivoire stopped the payment of its loan arrears to the Bank in April 2004. In addition, having failed to meet a deadline on 1 November for resumption of payment of its arrears to the Bank, Côte d'Ivoire became, in the World Bank's terms, a "country in non-accrual", which may make it more difficult for the Bank to release funds for the disarmament, demobilization and reintegration programme in future. Nevertheless, the National Commission for Disarmament, Demobilization and Reintegration has reportedly secured funds to commence the process in the eastern region, primarily through a contribution of one million euros provided by France to UNDP to cover the safety net package for the former combatants in that phase.

VI. Human rights

41. The deteriorating human rights situation in Côte d'Ivoire remains an issue of very serious concern. Gross violations continue to be reported throughout the country, in both the Government and Forces nouvelles-controlled areas, as well as in the zone of confidence. These include cases of summary executions and extrajudicial killings, torture, rape, forced disappearances, arbitrary arrests, illegal and incommunicado detentions and the destruction of houses and other property.

42. The tense situation created by the failure of the Government and the Forces nouvelles to meet the deadlines stipulated in the Accra III Agreement, as well as the military offensive launched by FANCI against Forces nouvelles positions in early November, have caused a further deterioration in the human rights situation in Côte d'Ivoire. In this context, the number of requests for protection received by UNOCI from individuals who fear for their lives and physical integrity have steadily increased during the reporting period. There were numerous reports of women and girls being raped and also of the ransacking and burning of houses of opposition supporters during the recent outbreak of violence.

43. In the Government-controlled south, the human rights situation has been exacerbated by a series of high-profile incidents such as the operations carried out by security forces in Abidjan against the civilian population in the Gobele neighbourhood and at the Adjamé market on 29 September 2004. Other incidents, which took place in recent months, include a security operation against worshippers at the mosque in Yamoussoukro, the attack by members of the militant student organization, Fédération estudiantine et scolaire de Côte d'Ivoire (FESCI), against inhabitants of the Abidjan shanty towns of Wassa and Blingué and the abduction of four employees from the Abidjan residence of RDR leader, Alassane Ouattara, one of whom was subsequently found dead while the others were tortured and suffered serious physical injuries. In the western part of the country that is under Government control, militias supporting President Gbagbo repeatedly attacked residents of other ethnic groups in Bloléquin, Guiglo, Tai and other locations, as well as impeding the movement of humanitarian agencies within the region.

44. Tensions between rival factions of the Forces nouvelles in the west and the north, notably in Man, Logouale and Korhogo, also led to serious violations of human rights. A rise in cases of rape committed by Forces nouvelles elements has been reported in Korhogo.

45. In accordance with its mandate to contribute to the promotion and protection of human rights and to ending impunity for human rights violations in Côte d'Ivoire, UNOCI monitored, investigated and reported on several cases of human rights violations. It has also repeatedly urged the Government, which has primary responsibility for the protection of human rights in Côte d'Ivoire, as well as the Forces nouvelles leadership, to bring the perpetrators of these abuses to justice. However, the prospects of holding the perpetrators of gross human rights violations accountable are seriously diminished by a general unwillingness on the part of both the Government and the Forces nouvelles to take the necessary measures, including providing investigators with access to information and to sectors of their security services for the purpose of identifying those within their ranks who are responsible for committing these violations.

46. In its efforts to combat exploitation of child labourers in the cocoa and coffee plantations, on 29 September 2004, the Government of National Reconciliation established a National Committee against Child Labour, with the technical support and assistance of the International Labour Organization (ILO). Subsequently, a conference aimed at defining dangerous child labour practices in Côte d'Ivoire was held in early October. Since September 2004, UNOCI has conducted training for peacekeepers and personnel of all its units on the prevention of sexual exploitation and abuse.

47. On 15 October 2004, the International Commission of Inquiry established under the Linas-Marcoussis Agreement to investigate all serious violations of human rights and humanitarian law perpetrated in Côte d'Ivoire since 19 September 2002, submitted its report to the United Nations High Commissioner for Human Rights. It was subsequently circulated to the Ivorian parties signatory to the Linas-Marcoussis Agreement for their comments and was finalized and submitted to the Secretary-General on 19 November, for transmission to the Security Council.

VII. Preparations for elections

48. The stalemate in the National Assembly over the composition of the Independent Electoral Commission essentially revolved around whether the Forces nouvelles should be recognized as one entity, and thus represented by two members, as proposed by FPI, or as three entities, which this movement comprises, and therefore be allotted six seats, as proposed by the G-7. A second proposal by FPI, which was that the Forces nouvelles representatives could only take up their seats on the Independent Electoral Commission after disarmament had been completed, has further complicated the matter. On 30 November, the National Assembly Commission on General Affairs and Institutions approved a draft law on the structure, on the organization of the Electoral Commission, which allocates three seats to the Forces nouvelles. This draft law is now pending submission to the plenary of the National Assembly for possible adoption.

49. Pending the reconstitution of the Independent Electoral Commission, I dispatched an electoral assessment mission to Abidjan from 13 to 27 October to

review the tasks related to the organization of the elections and make proposals on accelerating the electoral process. The mission consulted widely with Government and electoral authorities, political parties and other national and international stakeholders. It made recommendations to move the process forward, while building confidence among the political parties. The mission recognized, however, that much depended on the early achievement of a political consensus on the reconstitution of the Independent Electoral Commission, so that a fully-functioning electoral management body could be established without further delay.

50. The delay in the adoption of legislation on nationality, which is a prerequisite so that credible electoral lists can be prepared, is also blocking the electoral process. Clearly, the early enactment of the required legislation for the holding of the elections is urgently needed in order for them to be conducted by the scheduled date of October 2005. It must be emphasized that the time needed for organizing transparent and credible elections is fast running out and that the necessary steps need to be taken without further delay to take advantage of the narrow window of opportunity that remains.

VIII. Public information

51. At the outbreak of the recent crisis, freedom of the press was severely curtailed. As indicated above, a printing house and the offices of several major newspapers were ransacked by "young patriots" and remained closed. At the same time, foreign radio stations, whose FM transmitters had been sabotaged and were off the air during the crisis of early November, had resumed broadcasting by mid-November. Meanwhile, there was a dramatic upsurge in the media of language hostile towards foreigners and the United Nations. As the crisis appeared to subside, and following the adoption by the Security Council of resolution 1572 (2004) on 15 November 2004, in which the Council demanded that the Ivorian authorities stop all radio and television broadcasts inciting hatred, intolerance and violence, the virulent language abated. UNOCI's Public Information Unit is being strengthened to increase its capacity to monitor such broadcasts, as called for in resolution 1572 (2004).

52. During the crisis, UNOCI intensified its monitoring and analysis of daily media and launched a public information strategy focusing on countering disinformation, jingoistic propaganda, hate media and other media-managed action aimed at inciting violence and derailing the peace and reconciliation process. UNOCI has also focused on providing information regarding Security Council resolution 1572 (2004), as well as the activities and initiatives undertaken by the United Nations at large, the African Union, ECOWAS and other members of the international community. In particular, although several public information staff were threatened by pro-Gbagbo supporters or had been evacuated, the Mission continued to inform the general public and other target audiences on the mandate and role played by UNOCI and other members of the United Nations family with respect to issues related to violations of human rights and the rule of law. The UNOCI FM radio station continued to provide the population of Abidjan with neutral and impartial information, regular news bulletins, information from humanitarian agencies and messages of peace, including from Ivorian civil society and religious leaders. The Mission's radio transmitter at Bouaké is currently being

installed to allow coverage of that strategic city and the area north of the zone of confidence.

IX. Humanitarian situation

53. The humanitarian situation throughout the country continues to be characterized by a prolonged and increasing decline in basic social services, including primary health care and education in the northern and western parts of the country. Furthermore, the outbreak of violence in early November and the subsequent evacuation of some humanitarian staff led to a drastic reduction of humanitarian activities throughout the country. Despite a deterioration in the security situation, humanitarian operations assisting the most vulnerable continued to be carried out by remaining national staff. Furthermore, at the time of the evacuation of United Nations staff, arrangements were put in place with FANCI, the Forces nouvelles and the humanitarian actors to ensure the continued safety and protection of transit centres and refugee camps. In a positive development, humanitarian actors based in the north, while calling for security guarantees, have recently expressed interest in an early return and resumption of their activities.

54. The recent disruption of water and electricity supplies in Forces nouvelles-controlled areas further compounded the effects of the crisis, hampering the functioning of schools and hospitals. To mitigate the consequences of these shortages, humanitarian actors, in partnership with civil society, ensured the provision of potable water, emergency medical supplies and essential drugs. In Korhogo, the functioning of the main hospitals was ensured thanks to fuel supplies provided by UNOCI. Following the intense advocacy efforts by the international community, water and electricity supplies to Forces nouvelles-controlled areas were finally restored.

55. The continuing absence of local health workers, who fled because of the fighting, remains a concern for humanitarian agencies. It is estimated that 70 per cent of the professional health personnel in the north and west have yet to return to their posts. The United Nations Children's Fund (UNICEF) has undertaken various initiatives to fill this gap, including the rehabilitation of health centres and the reinforcement of the capacities of health personnel throughout the north. In September, UNICEF trained over 700 medical workers from 14 health districts in the central and northern parts of the country. Essential drug and health kits were also distributed by agencies. The continuation of these initiatives will depend on a significant improvement of the security environment, especially in the west. Another tragic consequence of the resumption of hostilities was the suspension of the national immunization programme against polio, scheduled to take place in November. This is particularly worrying as polio, thought to have been eradicated in Côte d'Ivoire, resurfaced earlier this year, with 15 cases reported.

56. The slow redeployment of civil servants has also had a detrimental effect on education. While a majority of schools temporarily reopened, only a third of the teachers have returned. Continued insecurity, the poor state of schools, lack of educational materials and the slow payment of installation benefits are among the reasons why teachers have not returned. The recent crisis further affected the education system with several schools either ransacked or destroyed in Abidjan, Toumodi, Yamoussoukro and San-Pédro. From a protection standpoint, the closure

of schools is a worrying development since it increases the risk of children becoming involved in the conflict or being exposed to abuse and exploitation.

57. The return of migrant workers from neighbouring countries to work on coffee and cocoa plantations has been problematic. In October 2004, several buses transporting over a thousand such returnees from Burkina Faso were blocked when attempting to enter the Government-controlled south. There are concerns that hostility towards the returnees may increase owing to unresolved inter- and intra-communal tensions.

58. Meanwhile, the security situation for humanitarian workers in Côte d'Ivoire remains precarious. On 25 November, military elements of the Forces nouvelles fired several shots into the air as a World Food Programme (WFP) aircraft landed at the airport at Man, subsequently threatening its crew and passengers, protesting that they had not been informed in advance of the arrival of the plane. Additionally, access to the airport was denied to two United Nations vehicles sent to evacuate WFP staff. Following the incident, UNOCI issued a communiqué expressing concern at the threats against United Nations personnel and reminding the Forces nouvelles of their obligations vis-à-vis United Nations staff in areas under their control, while WFP has suspended flights to western Côte d'Ivoire until further notice. Subsequently, on 30 November, the Forces nouvelles leadership assured UNOCI that United Nations personnel would have free and unimpeded access to all areas under their control.

59. In the meantime, rapid assessment missions, comprising the Office for the Coordination of Humanitarian Affairs, UNICEF, WFP, the UNOCI Human Rights Section as well as some major international non-governmental organizations, were undertaken in late November to Bouaké and Guiglo in the north and to Abidjan, Korhogo, Yamoussoukro in the south to develop a preliminary picture of the most pressing humanitarian needs and protection issues. The results of these rapid assessments will be consolidated and shared with the international community in early December and will be integrated in an addendum to the 2005 Consolidated Appeal for Côte d'Ivoire.

X. Socio-economic situation

60. The prolonged crisis in Côte d'Ivoire is causing a severe economic downturn. Government revenues were estimated at 1,987 billion francs CFA in the 2004 annual budget. However, during the first half of 2004, the Ivorian Government increased expenditures by an estimated 719 billion francs CFA owing to large increases in public spending, wages and salaries. External arrears, which amounted to 9 per cent of the country's gross domestic product (GDP) in 2003, currently stand at 12 per cent of GDP, mostly due to the Paris Club creditors. The level of these arrears resulted in a suspension of disbursements from the Bank in June 2004, leading to the cessation of implementation of some of the Bank's priority projects. In October, arrears to the World Bank stood at some $71 million and the total annual debt service to the Bank is estimated to rise to about $115 million by the end of 2004.

61. The projection for Côte d'Ivoire's GDP growth in 2004 has been estimated by its Ministry of Economy and Finance at negative 0.9 per cent. With the exception of the primary sector, which registered a 3.1 per cent increase, all productive sectors have experienced considerable contractions in 2004, particularly in the secondary

and tertiary sectors, which have seen decreases of 9.7 per cent and 0.6 per cent, respectively. On the social front, the incidence of poverty rose dangerously from 38 per cent, just before the September 2002 crisis began, to an estimated 44 per cent in early 2004.

62. Cotton, coffee, tobacco, agro-processing industries and services have all suffered major losses during 2004. The recent crisis has further exacerbated the economic situation. Reports indicate that deliveries of cocoa to the ports for export dropped by 20 per cent from 1 October to 30 November, compared to the same period last year. Furthermore, Ivorian exports via ports and airports were disrupted during the crisis, and transborder trade with neighbouring countries has fallen off considerably. Hundreds of small to medium-size businesses were particularly hard hit by the evacuation of expatriates and the exodus of large numbers of migrant workers. The crisis in Côte d'Ivoire is continuing to have a major impact on neighbouring countries, particularly those that have depended on receiving goods transported overland and which can also export goods through the country's ports. The economic aftershocks of the continuing crisis are expected to be felt around the subregion for years to come and raise doubts regarding the return of much-needed foreign investment in the foreseeable future, given the country's continued instability.

XI. HIV/AIDS

63. According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), Côte d'Ivoire continues to have the highest level of HIV prevalence in West Africa, at around 10 per cent. However, the Government, with the support of UNDP, the World Bank, UNAIDS and several donors, has launched a sound programme to counter the problem and has established an HIV/AIDS national fund. Most recently, UNDP, through the Global Fund, has launched an anti-retroviral supply programme. In November, the HIV/AIDS adviser from the Department of Peacekeeping Operations visited UNOCI to assist the mission's HIV/AIDS sensitization programme for peacekeeping personnel and it's planning for voluntary confidential counselling and testing. UNOCI has already established close partnerships with agencies such as UNAIDS and the United Nations Fund for Population Activities (UNFPA), as well as Government ministries and non-governmental organizations involved in addressing the HIV/AIDS problem. However, the implementation of the Mission's programme was interrupted by the recent outbreak of violence and subsequent evacuation of civilian staff. Nevertheless, the Mission is currently reviewing a number of Quick Impact Projects to support local HIV/AIDS initiatives and will be designing outreach programmes for local vulnerable communities.

XII. Emergency requirements for the reinforcement of the United Nations Operation in Côte d'Ivoire

64. The crisis in the first half of November has strained to the limit UNOCI's capacity to implement its mandate. Therefore, as an emergency measure, it is recommended that the Mission be reinforced in the following ways. On the military side, the new dynamics of the situation in Côte d'Ivoire have changed some of the key assumptions on which the original concept of operations was based. A number

of issues that have implications for UNOCI's future role need to be reviewed as a matter of priority to ensure that the Mission has the resources to carry out its mandated tasks. At the same time, the focus on supporting disarmament, demobilization and reintegration, which is a cornerstone of the current concept of operations, should continue.

65. UNOCI's structure was predicated on the ability of the Licorne force to provide quick reaction capacity when needed. However, the recent events have illustrated the complexities of the balance between the two forces and how difficult it can be to reconcile the emergency requirements of each when both are severely stretched. Consequently, UNOCI needs to be provided with its own modest reserve capability as a first level of response, in particular, in Abidjan. In addition, in order for the Mission to be able to present a credible deterrent, particularly in the zone of confidence, it is assessed that the peacekeepers on the ground will need to be backed up by both attack and light helicopters.

66. Consequently, I would recommend the deployment of an additional infantry battalion of 850 military personnel to act as a force reserve. This battalion would be stationed in Abidjan, with an additional aviation unit composed of eight attack and light helicopters and 270 support personnel. Given the topographical features of Abidjan, there is also a requirement for a small-boat unit of 30 personnel to assist with the deployment of troops and extraction of personnel in emergency situations.

67. The security review conducted in October by a Secretariat team highlighted a number of weaknesses in UNOCI's ability to implement its mandate in relation to providing close protection to Ministers of the Government of National Reconciliation. Correcting the existing shortfall will require the deployment of an additional 76 personnel, bringing the level of gendarme unit to 282 all ranks. These adjustments would add total 1,226 military personnel to the current authorized strength of the force of 6,240, thereby increasing its strength to up to 7,466 military personnel.

68. To further enhance the protection of United Nations personnel and facilities, in particular UNOCI headquarters in Abidjan, the deployment of a formed police unit of 125 personnel is recommended. The numbers would be temporarily drawn from the current authorized strength of 350 civilian police personnel. The unit would be exclusively used to assist in the protection of UNOCI headquarters, in close coordination with the UNOCI military component, the local security forces and the Licorne force.

69. Emergency requirements also include the need to establish of a level 1+ military medical facility in Abidjan, which should be equipped with basic surgical facilities and trauma capabilities. In addition, it is strongly recommended that there be a modest increase in security and also public information personnel to strengthen the Mission's information capacity and to enhance monitoring of the "hate media" as called for in Security Council resolution 1572 (2004). Finally, a small number of additional civilian staff would be needed to carry out other tasks required to implement the resolution, including the collection of information on the arms embargo and the situation along the borders of the country.

70. The emergency requirements mentioned above should not preclude the possibility of a further assessment of the future needs of the Mission, especially as a result of the ongoing initiatives of the African Union and others to find a solution to

the Ivorian crisis. The financial implications of the proposed reinforcement will be submitted to the Council shortly as an addendum to the present report.

XIII. Observations

71. The failure of the Ivorian parties to implement in earnest the provisions of the Linas-Marcoussis Agreement, the attacks by the Ivorian armed forces across the zone of confidence and the ensuing violent unrest and continuing tensions in Abidjan and elsewhere in the country have once again brought the country to a crossroads. I strongly condemn the protracted delays in the implementation of the major elements of the peace process and the deliberate resumption of hostilities and violations of the ceasefire established on 3 May 2003. The tragic displacements of population, including those of foreign nationals, widespread violations of human rights and the loss of life resulting from the crisis are deplorable.

72. In the wake of the recent events, priority needs to be given to ensuring the earliest restoration and consolidation of security and the resumption of dialogue among the Ivorian parties. In this regard, the concerned parties need to ensure that the integrity of the zone of confidence is respected and that the ceasefire is maintained. The Ivorian parties, and in particular President Gbagbo, as Head of State, should also be reminded of their obligations and their personal responsibility, for ensuring the security of civilians and the creation of a climate conducive to the resumption of a meaningful dialogue. Such a climate is necessary to enable the effective functioning of key institutions in the country, including the Executive and the National Assembly, as well as the political parties and the mass media. This is essential in order to prevent a further descent into violence and to facilitate the peace process.

73. In this regard, it is vital that, as demanded in Security Council resolution 1572 (2004), the broadcasts on State and privately operated radio and television, which have been used to incite hatred, intolerance and violence, are immediately and completely stopped. In a further step the ban proposed earlier this year by the Ivorian authorities on the disruptive activities of militant youth and other groups needs to be enforced, without discrimination. It should also be recalled that the Ivorian authorities have a responsibility for ending impunity and preventing incitement to hatred and other gross human rights violations. It should be further noted that, in the absence of effective action by courts of national jurisdiction, incitement to violence directed against civilians or ethnic, religious or racial communities may be subject to international action, including under the Rome Statute of the International Criminal Court.

74. I commend the African and other international leaders for their active roles in facilitating a peaceful resolution of the crisis in Côte d'Ivoire. The African Union initiative, led by President Obasanjo and President Mbeki, is a most welcome step, to which the United Nations is prepared to provide all appropriate support. The Ivorian parties should make full use of the window of opportunity that this initiative provides to reactivate the peace process. In the meantime, the international community should impress upon the Ivorian parties that they need to refrain from mutual recrimination and inflammatory rhetoric and return to dialogue, with a view to ensuring the full implementation of the Accra III and Linas-Marcoussis Agreements. Furthermore, steps should be taken to restore the full functioning of the

Government of National Reconciliation. The parties urgently need to agree on and commit themselves to credible timelines for implementing the accords.

75. In the circumstances prevailing in the country, it is particularly important that the international community speaks with one voice and that efforts are concerted and mutually reinforcing in order to provide both a catalyst for a reactivation of the peace process and the longer-term support needed for the implementation of the accords. In this context, the reports of the tripartite United Nations-African Union-ECOWAS Monitoring Group on developments regarding the implementation of the Accra III Agreement have been most useful. It is hoped that, in addition to its reporting tasks, the Monitoring Group will intensify efforts to engage the parties on the ground.

76. The precarious security situation in the country and the ensuing evacuation of international staff have resulted in further reductions in humanitarian activities. The cuts in electricity and water services during the recent crisis in Forces nouvelles-controlled areas caused serious problems for the population in the North. I would call upon the concerned parties to ensure that basic services are fully restored to all affected areas and maintained at all times. It should be recalled that any deliberate interruptions of such basic services are in contravention of international humanitarian law, for which those responsible are accountable. In addition, the deliberate actions by FANCI to stop the delivery of humanitarian aid to the north, which have been reported since the recent crisis began, must cease immediately.

77. In the light of the events in early November, I would recommend that immediate steps be taken to ensure that UNOCI's ability to implement its mandate is not unduly constrained. The requirements to meet UNOCI's emergency needs are described in section III above, and include: one infantry battalion to provide a force reserve; additional air assets; a small-boat unit for deployment of troops and extraction of staff; additional personnel for close protection tasks; one formed police unit to enhance protection for UNOCI headquarters in Abidjan, and; a small level-1 plus hospital. Additionally, a modest increase in civilian staff in some key areas is recommended, including security and public information, as well as for tasks related to implementation of the arms embargo imposed under Security Council resolution 1572 (2004).

78. Meanwhile, the recent crisis has brought into focus UNOCI's responsibilities regarding the protection of civilians, both in Abidjan and more widely in the country. At the same time the crisis has highlighted the limitations of the Mission when faced by massive unrest and attacks against certain groups of civilians that are clearly orchestrated, organized and undertaken in a climate of impunity. The question arises of how protection can best be provided for civilians, both Ivorian and foreign nationals, in such circumstances. In this regard, I would invite the Security Council and regional leaders to consider long-term strategies that could be employed in this pivotal West African country, including by the United Nations.

79. In conclusion, I would like to express my appreciation to my Special Representative, Albert Tévoédjrè, the civilian and military staff of UNOCI and the United Nations country team, humanitarian and development organizations and bilateral donors for their unsparing efforts in support of the search for the restoration of durable peace in Côte d'Ivoire, under daunting and challenging circumstances.

Annex

United Nations Operation in Côte d'Ivoire: Military and civilian police strength as on 30 November 2004

Country	Military observers	Military component			Civilian police
		Staff officers	Troops	Total	
Bangladesh	6	8	2 825	2 839	1
Benin	6	3	305	314	16
Bolivia	3			3	
Brazil	4	1		5	
Burkina Faso		1		1	
Cameroon					47
Canada					3
Chad	3			3	4
China	3			3	
Congo	6			6	
Croatia	3			3	
Djibouti					24
Dominican Republic	4			4	
Ecuador	2			2	
El Salvador	3			3	1
France	2	15	171	188	10
Guatemala	3			3	
Ghana	6	6	397	409	1
Gambia	5	1		6	
Guinea	3			3	
India	6	4		10	
Ireland	4			4	
Jordan	4	8		12	
Kenya	5	4		9	
Lebanon					2
Republic of Moldova	3			3	
Morocco	1	3	728	732	
Namibia	3			3	
Nepal	3			3	
Niger	2	3	366	371	25
Nigeria	5			5	2
Pakistan	9	10	364	383	
Paraguay	3	2		5	
Peru	3			3	

Country	Military component				Civilian police
	Military observers	Staff officers	Troops	Total	
Poland	2			2	
Portugal					2
Philippines	4	1		5	
Romania	4			4	
Russian Federation	7			7	
Senegal	6	6	313	325	60
Serbia and Montenegro	3			3	
Spain					1
Sri Lanka	5	4	291	300	1
Togo	2	1		3	
Tunisia					11
Turkey	2	1		3	11
Uruguay	3			3	
Yemen	2			2	
Zambia					
Total	**153**	**82**	**5 760**	**5 995**	**212**

Map No. 4220 Rev.2 UNITED NATIONS
November 2004

Department of Peacekeeping Operations
Cartographic Section